

AMENDED IN SENATE JULY 11, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1734

**Introduced by Committee on Utilities and Commerce (Wright
(Chair), Calderon, Canciamilla, Cardenas, Diaz, Nation, Papan,
Reyes, and Wesson)**

(Principal coauthor: Senator Polanco)

March 26, 2001

An act to amend Section ~~709~~ 278 of the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 1734, as amended, Committee on Utilities and Commerce. Telecommunications services.

Existing law establishes the Deaf and Disabled Telecommunications Program Administrative Committee to advise the Public Utilities Commission regarding the implementation, development, and administration of programs to provide specified telecommunications services and equipment to persons who are deaf or disabled. Existing law establishes the Deaf and Disabled Telecommunications Program Administrative Committee Fund in the State Treasury to carry out the programs pursuant to the commission's direction, control, and approval, and requires the commission to report to the Governor and the Legislature regarding a transition plan for programs associated with the fund.

This bill would authorize the commission, in carrying out its responsibilities and functions relating to the fund, to enter into

contracts with agencies, including nonprofit entities, currently providing services to the deaf and disabled.

~~Existing law, the Public Utilities Act, sets forth the findings and declarations of the Legislature that a policy for telecommunications in California is to encourage the development and deployment of new technologies and the equitable provision of services in a way that efficiently meets consumer need and encourages the availability of a wide choice of state-of-the-art services.~~

~~This bill, in addition, would refer to encouraging the development and deployment of the infrastructure needed to support the new technologies.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~—yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 709 of the Public Utilities Code is~~
2 ~~amended to read:~~

3 *SECTION 1. The Legislature finds and declares all of the*
4 *following:*

5 *(a) The Public Utilities Commission issued in May 2001, a*
6 *proposed transition plan regarding the transfer of six funds to the*
7 *State Treasury associated with telecommunications public*
8 *programs created and operated by the commission.*

9 *(b) This act is intended to preserve the existing infrastructure*
10 *of providers of service under the programs created with the six*
11 *funds by allowing the commission, to the extent feasible, to*
12 *contract with the network of existing service providers.*

13 *SEC. 2. Section 278 of the Public Utilities Code is amended*
14 *to read:*

15 278. (a) (1) There is hereby created the Deaf and Disabled
16 Telecommunications Program Administrative Committee, which
17 is an advisory board to advise the commission regarding the
18 development, implementation, and administration of programs to
19 provide specified telecommunications services and equipment to
20 persons in this state who are deaf or disabled, as provided for in
21 Sections 2881, 2881.1, and 2881.2, and to carry out the programs
22 pursuant to the commission's direction, control, and approval.

23 (2) In addition to the membership qualifications established by
24 the commission pursuant to subdivision (a) of Section 271, the

1 commission shall establish qualifications for persons to serve as
2 members of the Deaf and Disabled Telecommunications Program
3 Administrative Committee to achieve appropriate representation
4 by the consumers of telecommunications services for the deaf and
5 disabled.

6 (b) All revenues collected by telephone corporations in rates
7 authorized by the commission to fund the programs specified in
8 subdivision (a) shall be submitted to the commission pursuant to
9 a schedule established by the commission. The commission shall
10 transfer the moneys received to the Controller for deposit in the
11 Deaf and Disabled Telecommunications Program Administrative
12 Committee Fund. All interest earned by moneys in the fund shall
13 be deposited in the fund. Any unexpended revenues collected prior
14 to the operative date of this section shall be submitted to the
15 commission, and the commission shall transfer those moneys to
16 the Controller for deposit in the Deaf and Disabled
17 Telecommunications Program Administrative Committee Fund.
18 In addition, those revenues that are collected pursuant to
19 subdivision (d) of Section 2881 shall be accounted for separately,
20 as required by subdivision (b) of Section 2881.2, and deposited in
21 the fund created by the commission pursuant to subdivision (b) of
22 Section 2881.2.

23 (c) *In order for the commission to carry out its responsibilities*
24 *related to the Deaf and Disabled Telecommunications Program,*
25 *the commission shall, to the extent feasible, contract with*
26 *agencies, including nonprofit entities, currently providing services*
27 *to the deaf and disabled.*

28 (d) Moneys appropriated from the Deaf and Disabled
29 Telecommunications Program Administrative Committee Fund to
30 the commission shall be utilized exclusively by the commission
31 for the program specified in subdivision (a), including all costs of
32 the board and the commission associated with the administration
33 and oversight of the program and the fund.

34 ~~709. The Legislature hereby finds and declares that the~~
35 ~~policies for telecommunications in California are as follows:~~

36 ~~(a) To continue our universal service commitment by assuring~~
37 ~~the continued affordability and widespread availability of~~
38 ~~high-quality telecommunications service to all Californians.~~

39 ~~(b) To encourage the development and deployment of new~~
40 ~~technologies and the infrastructure required to support them, and~~

1 ~~the equitable provision of services in a way that efficiently meets~~
2 ~~consumer need and encourages the ubiquitous availability of a~~
3 ~~wide choice of state-of-the-art services.~~

4 ~~(c) To promote economic growth, job creation, and the~~
5 ~~substantial social benefits that will result from the rapid~~
6 ~~implementation of advanced information and communications~~
7 ~~technologies by adequate long-term investment in the necessary~~
8 ~~infrastructure.~~

9 ~~(d) To promote lower prices, broader consumer choice, and~~
10 ~~avoidance of anticompetitive conduct.~~

11 ~~(e) To remove the barriers to open and competitive markets and~~
12 ~~promote fair product and price competition in a way that~~
13 ~~encourages greater efficiency, lower prices, and more consumer~~
14 ~~choice.~~

